

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2204
94TH GENERAL ASSEMBLY

Reported from the Committee on Pensions, Veterans' Affairs and General Laws, April 15, 2008, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

TERRY L. SPIELER, Secretary.

4831S.06C

AN ACT

To repeal sections 165.111, 169.141, and 169.715, RSMo, and to enact in lieu thereof three new sections relating to compensation for education personnel, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 165.111, 169.141, and 169.715, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 165.111,
3 169.141, and 169.715, to read as follows:

165.111. 1. The school board of each district, for any year for which it
2 does not cause an audit to be performed by October thirty-first after the close of
3 the school year, shall make and publish, not later than September first, in some
4 newspaper as described in section 493.050, RSMo, published in the school district,
5 and if there is none then in some newspaper of general circulation within the
6 district, a statement of all receipts of school moneys, when and from what source
7 derived, and all expenditures, and on what account; also, the present
8 indebtedness of the district and its nature, and the rate of taxation for all
9 purposes for the year, **including the property tax rate**. The statement shall
10 be duly attested by the president and secretary of the board, and the secretary
11 shall forward a copy to the state board of education on forms prescribed by the
12 board.

13 2. **The school board of each district for any given year shall**
14 **provide a full detailed financial statement that will include the names**
15 **and total compensation packages of, and any expenses made by or on**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 behalf of, the district's superintendent, and all assistant
17 superintendents. If consultants are hired for administrative duties, the
18 district shall publish the total compensation package of each
19 consultant, and the disclosure shall be made separate for each
20 individual administrator. The disclosure shall include whether
21 incentives under sections 168.710, 168.714, 168.716, and 168.720, RSMo,
22 are available or used. The statement shall be forwarded to the
23 department of elementary and secondary education, and all the
24 information included in the statement required under this subsection
25 shall be published on the department's Internet web site.

26 3. For purposes of subsection 2 of this section, "total
27 compensation package" includes, but is not limited to, base salary,
28 retirement benefits, dues and club memberships, housing and auto
29 allowances, entertainment allowances, cell phone or personal digital
30 assistant and service contract, deferred compensation, buy-out clause,
31 pay-for-performance goals, donations from school foundations, and any
32 other valuable consideration provided as cash, credit, or services as a
33 result of employment, expressed in dollars.

34 4. The state board of education shall not release the state aid apportioned
35 to the district for the next ensuing school year until a copy of the required
36 statement has been received at its office in Jefferson City and has been approved
37 by it. Any school board which fails, refuses or neglects to order the statement to
38 be made, and any officer of the board who fails, refuses, or neglects to prepare,
39 publish and forward the statement, as required by this section, when ordered by
40 the board, is guilty of a misdemeanor and punishable by a fine not to exceed one
41 hundred dollars. Annual or biennial audit summaries shall be published
42 according to section 165.121.

169.141. 1. Any person receiving a retirement allowance under sections
2 169.010 to 169.140, and who elected a reduced retirement allowance under
3 subsection 3 of section 169.070 with his spouse as the nominated beneficiary, may
4 nominate a successor beneficiary under [either] **one** of the following
5 circumstances:

6 (1) If the nominated beneficiary precedes the retired person in death, the
7 retired person may, upon remarriage, nominate the new spouse under the same
8 option elected in the application for retirement;

9 (2) If the marriage of the retired person and the nominated beneficiary is

10 dissolved, and if the dissolution decree provides for sole retention by the retired
11 person of all rights in the retirement allowance, the retired person may, upon
12 remarriage, nominate the new spouse under the same option elected in the
13 application for retirement; **or**

14 **(3) If the marriage of the retired person and the nominated**
15 **beneficiary is dissolved after the effective date of this subdivision, and**
16 **if the dissolution decree provides for sole retention by the retired**
17 **person of all rights in the retirement allowance, the nominated**
18 **beneficiary shall become ineligible to receive a retirement allowance**
19 **and the retirement allowance of the retired person shall be increased**
20 **to the amount the retired member would be receiving had the retired**
21 **person elected option 1 as provided in section 169.070.**

22 2. Any nomination of a successor beneficiary under subdivision (1) or (2)
23 of subsection 1 of this section must be made in accordance with procedures
24 established by the board of trustees, and must be filed within ninety days of May
25 6, 1993, or within ninety days of the remarriage, whichever later occurs. Upon
26 receipt of a successor nomination filed in accordance with those procedures, the
27 board shall adjust the retirement allowance to reflect actuarial considerations of
28 that nomination as well as previous beneficiary and successor beneficiary
29 nominations.

169.715. 1. Any person receiving a retirement allowance under sections
2 169.600 to 169.712, and who elected a reduced retirement allowance under
3 subsection 4 of section 169.670 with his spouse as the nominated beneficiary, may
4 nominate a successor beneficiary under **[either] one** of the following
5 circumstances:

6 (1) If the nominated beneficiary precedes the retired person in death, the
7 retired person may, upon remarriage, nominate the new spouse under the same
8 option elected in the application for retirement;

9 (2) If the marriage of the retired person and the nominated beneficiary is
10 dissolved, and if the dissolution decree provides for sole retention by the retired
11 person of all rights in the retirement allowance, the retired person may, upon
12 remarriage, nominate the new spouse under the same option elected in the
13 application for retirement; **or**

14 **(3) If the marriage of the retired person and the nominated**
15 **beneficiary is dissolved after the effective date of this subdivision, and**
16 **if the dissolution decree provides for sole retention by the retired**

17 **person of all rights in the retirement allowance, the nominated**
18 **beneficiary shall become ineligible to receive a retirement allowance**
19 **and the retirement allowance of the retired person shall be increased**
20 **to the amount the retired member would be receiving had the retired**
21 **person elected option 1 as provided in section 169.670.**

22 2. Any nomination of a successor beneficiary under subdivision (1) or (2)
23 of subsection 1 of this section must be made in accordance with procedures
24 established by the board of trustees, and must be filed within ninety days of May
25 6, 1993, or within ninety days of the remarriage, whichever later occurs. Upon
26 receipt of a successor nomination filed in accordance with those procedures, the
27 board shall adjust the retirement allowance to reflect actuarial considerations of
28 that nomination as well as previous beneficiary and successor beneficiary
29 nominations.

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